



Deposition of:
Robert Alexander

July 29, 2021

In the Matter of:
USA Truck, INC. Vs. Sullair, LLC

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1 Q And do you recall seeing the spreadsheet that we were
2 just talking about?

3 A No, I do not recall.

4 Q Okay. But so the issue of whether or not the machine
5 weight dictated that brakes were required for safe towing came
6 up in the meeting. Correct?

7 A Correct.

8 Q You recall a specific discussion, correct?

9 A Correct.

10 Q That involved engineers and other people like
11 yourself that were employees of Sullair, correct?

12 A That is correct.

13 Q And the consensus was that the machine weight did
14 dictate that brakes were required for safe towing. Correct?

15 A Yes, sir.

16 Q Okay. So would that have been memorialized somewhere
17 in writing this decision?

18 A I do not know.

19 Q Who would be taking notes or responsible for taking
20 notes from a meeting like that?

21 A I do not recall.

22 Q All right. I tell you what let's do. Let's take a
23 little quick five minute break. I just need to run to the
24 restroom, Robert. I apologize.

25 A That's fine. I can take some ibuprofen for my

1 MR. MCDONALD: Object to form.

2 A To avoid speculation I do not know.

3 Q Okay. Gotcha. And would you agree with me that
4 Sullair knew that its tier three 375 trailers and its interim
5 tier four 375 trailers would be towed on public highways at
6 highway speeds?

7 A Yes, sir.

8 Q Okay. And as part of the redesign process that you
9 were engaged in did Sullair ever try to determine the expected
10 weight of vehicles that would be towing the Sullair trailers?

11 A I was not part of a team that would investigate that,
12 so I do not know.

13 Q Okay. Did you ever hear anybody talk about the
14 expected weight of tow vehicles?

15 A I do not recall.

16 Q Did you ever hear anybody talk about the types of
17 braking systems on the vehicles that would be towing the
18 Sullair trailers?

19 A I do not know.

20 Q Okay. And do you know if Sullair intended for its
21 trailers to be towed by any particular vehicle or a vehicle
22 with a particular weight?

23 MR. MCDONALD: Object to form.

24 A Again, I do not know.

25 Q Okay. And would you agree that Sullair could

1 A That would typically be a response that I may give or
2 tell them to seek their local laws.

3 Q Gotcha. Okay. When you were talking about that
4 consensus that you were talking about later, do you recall
5 anybody indicating that they had done any research on laws or
6 regulations that might apply?

7 A Again, that would be out of the scope of my
8 involvement, and I would not know.

9 Q Yeah. And I -- and I -- I get that, Robert. I am
10 just trying to figure out if you recall any discussions about
11 that when you were in the meetings.

12 A No, sir, I do not.

13 Q Okay. I am showing you what's Exhibit 196, and it's
14 entitled Running Gear Design Guidelines For Portable
15 Compressors. Have you ever seen this document, sir?

16 (Exhibit 196 was published to the witness.)

17 A Not that I recall.

18 Q Okay. By the way, when we were talking about that
19 consensus that you -- of the people in the meeting about
20 whether or not the machine weight dictated that brakes were
21 required for safe towing, do you recall anybody at the meeting
22 disagreeing with the consensus or saying no, the machine --
23 it's perfectly safe to tow without brakes?

24 A Not that I recall.

25 Q Okay. So that was a -- like a uniform consensus or

1 unanimous consensus?

2 A To my memory, yes.

3 Q Okay. How many meetings did you attend on the iT4
4 project? Was it two or three or four or five or do you have
5 any recollection?

6 A It would be more than five, but the exact number I do
7 not remember.

8 Q And would there be meeting minutes for every meeting
9 that you attended?

10 MR. MCDONALD: Object to form.

11 A Please clarify.

12 Q Would there be meeting minutes for the meetings that
13 you attended?

14 MR. MCDONALD: Object to form.

15 A Please explain what you mean by meeting minutes.

16 Q Okay. Give me one second. So, for example, on page
17 Sullair 2550 where your name appeared, it says meeting minutes,
18 and it looks like it's a meeting that you attended. Is that
19 fair?

20 A Yes. That is fair. And if the definition of meeting
21 minutes you mean a list of objectives for the meeting to cover,
22 yes, the answer is yes.

23 Q Okay. And like, for example, on Sullair 2551, it
24 looks like that was a meeting on March 15 of 2011, and you were
25 not there. Does that appear to be what it's communicating?